

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheets" of drawings include changes to Figures 1-3 and 5. The attached "Replacement Sheets," which includes Figures 1-17, replace the most recently submitted sheets including Figures 1-17.

Attachment: Replacement Sheets

REMARKS

Claims 1, 2, 4-8, 10-14, 20, 22, 23, and 44-47 are now pending in the application. Claim 47 has been added as new. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

DRAWINGS

The drawings stand objected to for certain informalities. Applicants have attached revised drawings for the Examiner's approval. In the "Replacement Sheets" block 38 has been labeled in Figures 1-3 and 5 as suggested by the Examiner. Therefore, reconsideration and withdrawal of the objection to the drawings are respectfully requested.

CLAIM OBJECTIONS

The claims are objected to due to an inconsistent spelling of "quick release." Claims 1, 4, 13, and 22 have been amended for a consistent spelling of "quick release." Therefore, reconsideration and withdrawal of the objections to the claims are respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, 2, 4-8, 10-14, 20, 22, 23 and 44-46 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicants note that the claims have been amended to recite a “table saw” rather than a “table saw guard assembly.” Applicants further note that the amendments to the claims clarify any language that the Examiner previously considered “vague and indefinite.” Therefore, reconsideration and withdrawal of the rejection of claims 1, 2, 4-8, 10-14, 20, 22, 23 and 44-46 are respectfully requested.

REJECTION UNDER 35 U.S.C. §§ 102 AND 103

Claims 1, 5, 7, 8, 10, 12, 13, 20, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Peterson (U.S. Pat. No. 3,105,530, hereinafter “Peterson”). This rejection is respectfully traversed.

Claims 1, 2, 7, 10, 12-14, 20, 22, 23 and 44-46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sutton (U.S. Pat. No. 6,405,625, hereinafter “Sutton”) in view of Vogl et al. (U.S. Pat. No. 3,249,134, hereinafter “Vogl”). This rejection is respectfully traversed.

Claims 2, 14, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Peterson as applied to claims 1, 13, and 22 above, and further in view of Akin (U.S. Pat. No. 2,731,049, hereinafter “Akin”). This rejection is respectfully traversed.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Peterson as applied to claims 1 and 5 above, and further in view of the following: Peterson fails to disclose a hood locking assembly including a screw and wing nut. However, Peterson discloses a wing nut and screw in another location in order to quickly remove a structure without the use of tools. Therefore, it would have been

obvious of one of ordinary skill in the art at the time the invention was made to replace the hood mounting bolts (50) of the Peterson device with screws and wing nuts in order to quickly remove the hoods without tools. This rejection is respectfully traversed.

At the outset, Applicants note that claims 1, 13, and 22 recite:

said quick release mechanism including a locking member and a resilient biasing member, said locking member being displaceable between engaged and disengaged positions, said locking member coupling said guard assembly to said support structure when in said engaged position and said guard assembly being removable from said support structure when said locking member is in said disengaged position, said biasing member urging said locking member into engagement with said support structure.

The Office Action indicates that Peterson discloses “a quick release mechanism (28, 29) for providing selective engagement between said support structure and said entire hood assembly, said quick release mechanism including a biasing member urging said quick release mechanism into engagement with said structure.” The Examiner further indicates that “the term ‘biasing’ does not necessarily require a resilient member or spring.” Applicants respectfully submit that a resilient biasing member is not taught or suggested by the stud (28) and wing nut (29) of Peterson.

The Office Action further indicates that Sutton discloses a “quick release mechanism including a biasing member (spring 82) urging said quick release mechanism into engagement with said support structure.” Applicants submit that a locking member is not present in Sutton. Even if a portion of Sutton were considered a locking member, there is no teaching of the locking member being biased into an engaged position by a resilient biasing member and providing for removal of the guard assembly when displaced to a disengaged position.

As such, Applicants respectfully submit that claims 1, 13, and 22 are in condition for allowance. Claims 1, 2, 4-8, and 10-12 depend from claim 1, claims 14 and 20 depend from claim 13, and claim 23 depends from claim 22. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 2, 4-8, 10-14, 20, 22, and 23.

NEW CLAIMS

Claim 47 has been added as new. Claim 47 depends from claim 1 and, therefore, should be in condition for allowance for the reasons set forth above.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 4 and 11 would be allowable if rewritten in independent form. However, as indicated above, Applicants believe amended claim 1 to be in condition for allowance. Since claims 4 and 11 depend from claim 1, these claims should be in condition for allowance as well.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: March 12, 2007

Electronic Signature: /Ryan W. Massey/
HDP Attorney, Reg. No. 38,543

HARNES, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

RWM/JMP/slg
J:\HDP Forms\Client Forms\BlackDecker (0275_, 6736, 8913)\Amendment Form.doc